

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NORTHEAST KENTUCKY REGIONAL)	
INDUSTRIAL AUTHORITY, INC.)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2003-00279
)	
KENTUCKY POWER COMPANY D/B/A)	
AMERICAN ELECTRIC POWER)	
)	
DEFENDANT)	

O R D E R

On July 16, 2003, Northeast Kentucky Regional Industrial Authority, Inc. ("Northeast Kentucky") filed a formal complaint against Kentucky Power Company d/b/a American Electric Power ("Kentucky Power"), alleging that Kentucky Power violated KRS 278.170 by charging different prices at different sites for installation and contemporaneous and similar services, and also alleging that Kentucky Power has not provided certain services in a timely manner. Northeast Kentucky requests certain refunds because of the unreasonable charges and delay in installation.

Kentucky Power claims that the difference in charges is justified and reasonable due to differences in the sites. Kentucky Power also claims to have made certain refunds to Northeast Kentucky.

On October 1, 2003, Commission Staff issued data requests to both Northeast Kentucky and Kentucky Power, requesting that the parties respond within 10 days of the

date of the request. Kentucky Power filed its responses on October 13, 2003. As of the date of this Order, Northeast Kentucky has filed no responses.

IT IS THEREFORE ORDERED that Northeast Kentucky's complaint is dismissed for lack of prosecution, and this case is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 27th day of January, 2004.

By the Commission

ATTEST:

Deputy Wm H. I. Barker
Executive Director